

FILED

DEC 4 2008

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U. S. DISTRICT COURT
E. DISTRICT OF MO.

UNITED STATES OF AMERICA,

Plaintiff,

v.

TODD SHEPARD and
EVERETTE SIMMONS,

Defendants.

No.

4:08CR00697

ERW

INDICTMENT

COUNT I

The Grand Jury charges that:

Beginning at a time unknown to this Grand Jury, but including January, 2007, and continuing until the date of this Indictment, in the Eastern District of Missouri, and elsewhere,

**TODD SHEPARD and
EVERETTE SIMMONS,**

the defendants herein, did knowingly and willfully conspire, combine, confederate and agree together with each other and other persons both known and unknown to this Grand Jury, to commit an offense against the United States, to wit: distribute and possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine and a mixture or substance containing cocaine base ("crack cocaine"), Schedule II controlled substances, in violation of Title 21, United States Code, Section 841(a)(1); and

The quantity of cocaine involved in the offense was in excess of five (5) kilograms and the quantity of cocaine base ("crack") involved in the offense was in excess of fifty (50) grams, thereby making the offense punishable under Title 21, United States Code, Sections 841(b)(1)(A)(ii)(II) and (iii).

All in violation of Title 21, United States Code, Section 846.

A TRUE BILL.

FOREPERSON

CATHERINE L. HANAWAY
United States Attorney

DEAN R. HOAG, #6426
Assistant United States Attorney